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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
JAMAR MADDOX,)
)
Defendant.)

No. CR 11-0522 SBA

~~PROPOSED~~ ORDER OF DETENTION

The parties appeared before the Honorable Laurel Beeler on August 8, 2011, for a detention hearing. The defendant was present and represented by Assistant Federal Public Defender Angela Hansen. The government was represented by Assistant United States Attorney Brian Lewis. The government requested detention, submitting that no condition or combination of conditions of release would reasonably assure the appearance of the defendant as required.

Upon consideration of the court file and the government's proffer as discussed below, the Court finds by a preponderance of the evidence that no condition or combination of conditions of release would reasonably assure the appearance of the defendant as required. The Court, therefore, orders the defendant detained without prejudice to re-raising the issue of his detention

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1 after his current term of imprisonment expires.¹

2 The Bail Reform Act of 1984, 18 U.S.C. §§ 3141-50, sets forth the factors which the
3 Court must consider in determining whether pretrial detention is warranted. In coming to its
4 decision, the Court has considered those factors, paraphrased below: (1) the nature and
5 seriousness of the offense charged; (2) the weight of the evidence against the person; (3) the
6 history and characteristics of the person including, among other considerations, employment,
7 past conduct and criminal history, and records of court appearances; and (4) the nature and
8 seriousness of the danger to any person or the community that would be posed by the person's
9 release. 18 U.S.C. § 3142(g).

10 Defendant Jamar Maddox is charged in a one-count indictment with escape from custody,
11 in violation of 18 U.S.C. §§ 751(a) and 4082(a). In considering all of the facts and proffers
12 presented at the hearing, the Court finds the following factors among the most compelling in
13 reaching its conclusion that no combination of conditions could reasonably assure the
14 defendant's appearance as required. First, the defendant is currently a federal prisoner with a
15 projected release date of October 26, 2011. Second, the defendant is currently charged with
16 escaping from federal custody on May 24, 2011. These factors, among others adduced at the
17 hearing, demonstrate by a preponderance of the evidence that if released the defendant would not
18 appear as required.

19 Accordingly, pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

- 20 (1) the defendant is committed to the custody of the Attorney General for
21 confinement in a corrections facility;
- 22 (2) the defendant be afforded reasonable opportunity for private consultation with his
23 counsel; and,
- 24 (3) on order of a court of the United States or on request of an attorney for the

26 ¹ The present order supplements the Court's findings on the record at the detention
27 hearing and serves as the written findings of fact and statement of reasons required by 18 U.S.C.
28 § 3142(i).

1 government, the person in charge of the corrections facility in which the
2 defendant is confined shall deliver the defendant to an authorized Deputy United
3 States Marshal for the purpose of any appearance in connection with a court
4 proceeding.

5
6 IT IS SO ORDERED.

7
8
9 Dated: August 11, 2011



LAUREL BEELER
United States Magistrate Judge